



## Legal and Democratic Services

**Moray Council**  
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Mr Ken Asher  
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Our Reference: LR/LR188  
Your Reference:

6 December 2017

Dear Mr Asher,

### Notification of Procedure Notice

#### **Notice of Review: Planning Application 17/00590/APP – Erection of a bungalow within garden ground at Rosemount, 5 Mayne Road, Elgin, IV30 1NY**

At the meeting of the Moray Local Review Body (MLRB) on 30 November 2017, the MLRB determined that they did not have sufficient information to make a decision. As such, the MLRB have deferred consideration of the above Review to request further information from yourself (the Applicant) in relation to your ability to provide the required visibility splay given that this will extend into land that is owned by a third party.

Specifically the MLRB require evidence that the owner of the third party land (shown cross-hatched in red on the enclosed plan) is willing to grant a legal right in favour of the owners of 5 Mayne Road, Elgin. The right must be capable of registration in the appropriate register and should therefore be in the form of a transfer of ownership or grant of servitude. At this stage the MLRB would accept as evidence a formal letter from the owners of the third party land stating that they are agreeable in principle to such a legal right being granted.

Responses to this Procedure Notice should be sent to the Clerk of the MLRB, by email or post at the above address, **on or before Thursday 21 December 2017**.

The Notice of Review and associated documents can be viewed at [http://www.moray.gov.uk/moray\\_standard/page\\_65978.html](http://www.moray.gov.uk/moray_standard/page_65978.html). A copy of the documents can also be made available for inspection, on request, at the Access Point, Council Offices, Elgin

If you have any queries, please do not hesitate to contact me on the above details.

Yours sincerely,

Lissa Rowan  
Committee Services Officer  
Clerk to the Moray Local Review Body